S Sources of
328.361 information and
L13sip publications
1990

# SOURCES OF INFORMATION AND PUBLICATIONS

PLEASE RETURN

## 1991 - 1992

STATE DOCUMENTS COLLECTION

FEB 26 1991

MONTANA STATE LIBRARY
1515 E. 6th AVE.
HELENA, MONTANA 59620

**Montana Legislative Council**

Published by
**Montana Legislative Council**
Room 138
State Capitol
Helena, MT 59620
(406) 444-3064

MONTANA STATE LIBRARY
S 328.361 L13sip 1990 c.1
Sources of information and publications.
3 0864 00070887 8

Montana Legislative Council

# Sources of Information and Publications

4th Edition

Published by
Montana Legislative Council
Room 138, State Capitol
Helena, MT 59620

1990

## TABLE OF CONTENTS

Preface . . . . . i
Introduction to the Montana Legislative Council . . . . . 1
Rules of the Montana Legislature . . . . . 2
Telephone Directory . . . . . 3
Legislator's Handbook . . . . . 4
Bill Drafting Manual . . . . . 5
Bill Drafting Request Report . . . . . 6
Internal Reference List . . . . . 7
Code Sections Affected List . . . . . 8
Bills . . . . . 9
Bill Status Inquiry System . . . . . 10
House and Senate Agendas . . . . . 14
Votes . . . . . 15
Subject Index . . . . . 16
History and Final Status Of Bills . . . . . 17
House and Senate Journals . . . . . 18
Legislative Review . . . . . 20
Session Laws . . . . . 21
Montana Code Annotated . . . . . 22
Interim Directory of Legislative Committees . . . . . 24
Interim Study Final Reports . . . . . 25
The Interim . . . . . 26

# PREFACE

The Montana Legislative Council provides information resources for legislators and other interested persons both during and after a legislative session. These resources are designed to help people locate legislation, committee testimony, and codified statutes. Such tools include the telephone directory; bill status reports from drafting to final vote; subject indexes of proposed legislation; lists of code sections which could be affected by passage of legislation, etc.

This brochure provides a brief introduction to the various sources of information published by the Montana Legislative Council.

During the legislative session, the Legislative Information Office is open to help people with questions. This office is located in the rotunda of the capitol and a toll-free number, 1-800-237-5079, is provided for out-of-town inquiries. The office provides access to computer terminals which contain the latest information on introduced bills. Persons should utilize the Legislative Information Office whenever possible during the session.

For more information on any part of this brochure, contact the Montana Legislative Council, Room 138, State Capitol, Helena, Montana 59620, phone (406)444-3064.

# INTRODUCTION TO THE MONTANA LEGISLATIVE COUNCIL

The functions of the Legislative Council are described in this brochure. Included are legislative membership, current council personnel, and a bibliography of all council research study reports from 1957 to the present. Rules of procedure, a list of former Chairmen and Vice-Chairmen, and interim operations are also detailed.

Copies may be obtained from the Legislative Council.

## INTRODUCTION TO THE MONTANA LEGISLATIVE COUNCIL

Montana Legislative Council

Published by
**Montana Legislative Council**
Room 138
State Capitol
Helena, MT 59620
(406) 444-3064

Sample

# RULES OF THE MONTANA LEGISLATURE

The Joint Rules, Senate Rules, House Rules, and an index to those rules are printed along with the Montana Constitution and its index in the Rules of the Montana Legislature. This book also gives a brief listing of deadlines and time limitations for the session with the corresponding rule number.



## CHAPTER 10
### Administration

**10-10. Time of meeting.** Each house may order its time of meeting.

**10-20. Legislative day — duration.** (1) If either house is in session on a given day, that day constitutes a legislative day.

(2) A legislative day for a house ends either 24 hours after that house convenes for the day or at the time the house convenes for the following legislative day, whichever is earlier.

**10-30. Schedules.** The presiding officer of each house shall coordinate its schedule to accommodate the workload of the other house.

**10-40. Adjournment — recess — meeting place.** A house may not, without the consent of the other, adjourn or recess for more than 3 days or to any place other than that in which the two houses are sitting (Montana Constitution, Art. V, Sec. 10(5)).

**10-50. Access of press.** Subject to the presiding officer's discretion on issues of decorum and order, an accredited press representative may not be prohibited from photographing, televising, or recording a legislative meeting or hearing.

**10-60. Conflict of interest.** A member who has a personal or private interest in any measure or bill proposed or pending before the Legislature shall disclose the fact to the house of which he is a member.

**10-70. Telephone calls.** (1) Long distance telephone calls made by a member while the Legislature is in session or the member is in travel status are considered official legislative business. These include, but are not limited to, calls made to constituencies, places of business, and family members.

Sample

# TELEPHONE DIRECTORY

The Telephone Directory is published every session and is a very valuable pocket-sized information source. It contains the names of Senate and House members along with their political affiliation, district number, home address, Helena address, spouse's name, business occupation, and committee assignments. Also included in the directory are state officials and agencies; legislative committee meeting dates, with time and place; seating charts; order of business, and maps.

This directory is free and is available from the Legislative Information Office and the Legislative Council.

## HOUSE TELEPHONES

**Official Legislative Telephone Number — 444-4800**

**Room 357**

| | |
|---|---|
| Speaker, Room 349 | 444-4815 |
| Majority Leader, Room 349 | 444-4826 |
| Majority Whip, Room 347 | 444-4806 |
| Minority Leader, Room 363 | 444-4824 |
| Minority Whip, Room 363 | 444-4860 |
| Speaker Pro Tem, Room 428-A | 444-4815 |
| Agriculture, Livestock and Irrigation Room 312-3 and Sec. 312-6 | 444-4856 |
| Amendments Coordinator, Room 344-B | 444-4862 |
| Appropriations, 104 and Sec. Room 343 | 444-4873 |
| Appropriations — Finance and Claims: | |
| Education Room 104 and Sec. 313 | 444-4835 |
| General Government and Highways Room 402 and Sec. 202 | 444-4872 |
| Human Services, Room 108 and Sec. 202 | 444-4847 |
| Institutions and Cultural Education Room 405 and Sec. Room 202 | 444-4846 |
| Long Range Planning, Room 317, Sec. 312-4 | 444-4849 |
| Natural Resources, Room 420 and Sec. 420 | 444-4877 |
| Bills Coordinator/Bills Clerk, Room 344-A | 444-4861 |
| Bills Distribution, Room 435 | 444-3729 |
| Business and Economic Development Room 312-3, Sec. 312-6 | 444-4879 |
| Chief Clerk, Room 352 | 444-4822 |
| Assistant Chief Clerk, Room 353 | 444-4817 |
| Data Distribution, Legislative Room 60 Basement | 444-3869 |
| Education and Cultural Resources Room 312-1 and Sec. Room 313 | 444-4802 |
| Fish and Game, Room 312-3 and Sec. 312-6 | 444-4832 |
| Highways and Transportation Room 317 and Sec. Room 313 | 444-4854 |
| Human Services and Aging Room 312-2 and Sec. Room 312-5 | 444-4876 |
| Information, Legislative, Rotunda | 444-4853 |
| Toll Free Number | 1-800-237-5079 |
| Judiciary, Room 312-2 and Sec. Room 312-5 | 444-4828 |
| Labor and Employment Relations Room 312-1 and Sec. 312-4 | 444-4350 |
| Legislative Administration Room 343, Sec. Room 353 | 444-4822 |
| Local Government, Room 312-2 and Sec. 312-5 | 444-4723 |
| Natural Resources, Room 317 and Sec. 312-4 | 444-4829 |

Sample

# LEGISLATOR'S HANDBOOK

The Legislator's Handbook provides an overview of the operations of the legislature, legislative service agencies, and state government. Included are chapters on centralized services, legislative interns and aids, and lobbying and lobbyists. Procedures of standing committees, how a bill becomes law, the twelve orders of business, and fiscal note requirements are also reviewed.

Copies of this publication are available from the Legislative Council.

## CHAPTER III

## LEGISLATIVE PROCEDURES

### AGENDA ITEMS

The business of each house is conducted in conformance with procedures established in the Joint Rules and the rules of each house. The rules provide for the order of business, motions, resolutions, drafting and introduction of bills, referral and reporting of bills, second and third readings, transmittal dates, and consent calendar.

### ORDER OF BUSINESS

The agenda followed by each house during each business day is called the Order of Business. After the opening prayer, pledge of allegiance, roll call, and report on the journal, the Senate and House proceed through their business in this progression, although there may be nothing to discuss on any particular day under one or more of the Orders of Business.

The 12 Orders of Business in the Senate, with notes on differences in the House, are:

No. 1 - Communications and Petitions. Various types of communications may be read to the legislative body.

No motions are acceptable.

No. 2 - Reports of Standing Committees. Reports are read from the rostrum. Legislators do not receive an actual copy in the originating house, but amendments are printed in full in the daily journal. After a favorable vote, an amended version of the bill is printed.

Generally, no motion is acceptable except some privileged motions, such as to adjourn, for a roll call vote, for a call of the house, or for some other incidental motion; however, by established practice these motions are not generally made.

No debate is had unless a minority committee report has been submitted. A member seeking to challenge the action on the adoption of a favorable or an adverse committee report may do so on Order of Business No. 6 (Order of Business No. 9 in the House) by a motion to reconsider and need not have voted on the prevailing side.

Sample

# BILL DRAFTING MANUAL

The Bill Drafting Manual sets forth uniform standards and instructions on bill drafting. It includes information on the mechanics, style and technique of drafting bills, resolutions, amendments, referendums, and administrative rules. Sample bills and resolutions, plus a bill drafter checklist, are included.

This publication is free and available from the Legislative Council.

## Chapter 2

## Style and Language

**2-1. Introduction.**

Bills should be written in a simple, clear, and direct style, phrased for the common reader as well as for the political or legal expert.

A poorly drafted, ambiguous bill will waste the time of citizens affected, confuse those charged with its administration, lead to litigation, and likely fail to accomplish the purpose of the requestor. Good drafting requires concise wording that is understandable by a person who has no special knowledge of the subject.

If wording in a bill has to be paraphrased to make it intelligible to the layman, it needs revising. In Montana, the common-law tradition has manifested itself in the timeworn, nonessential phrases and rhetorical flourishes found in our older legislative enactments. The suggestions contained in this chapter are designed to help the drafter avoid the most common faults in style and language evident in some of our present law.

As authority for basic rules of writing, the Legislative Council uses the latest edition of the *United States Government Printing Office Style Manual* and the *Gregg Reference Manual, Sixth Edition*, by William A. Sabin. Compounding of words is done according to the *Style Manual*.

Generally, the ordinary rules of grammar apply to legislative writing; however, in a few instances a departure from common usage is suggested. For consistency, when a code section is amended, added language should be written to "match" existing language.

Sample

# BILL DRAFTING REQUEST REPORT

Bill drafting request forms are filed in the Legislative Council Legal Office. The requests are assigned an LC (Legislative Council) number which becomes the identifying number throughout the drafting and input stages. Information from the bill draft request form is used to produce the Bill Drafting Request Report.

The report is printed in four parts: the Subject Report, the Requestor Report, the By Request of a Committee or Agency Report, and the Drafter Report. Entries in each of the four reports include the LC number, bill number, short title, requestor, sponsor, subject code, and drafter.

Copies of the Bill Drafting Request Report are available for use in the Legislative Council offices, the Library, and at the Distribution Center in the capitol. The report may be purchased, with price set according to the number of pages.

MONTANA LEGISLATIVE COUNCIL

SPONSOR IS LISTED IN PARENTHESES
IF DIFFERENT FROM REQUESTOR

BILL DRAFTING REQUEST RECORD BOOK REPORT
-- BY SUBJECT --

* = APPLIES TO REQUESTOR'S 5-BILL LIMIT

| * LC # | BILL # SHORT TITLE | REQUESTOR | (SPONSOR) | SUBJECT | DRAFTER |
|---|---|---|---|---|---|
| | | | SUBJECT: AGRICULTURE | | |
| 11 | (MONTANA BLENDED GRAIN) | INTERIM AG COM | | AGR | GOMEZ, TOM |
| 12 | (LIMIT AG LOSS ON PERSONAL INCOME TAX) | INTERIM AG COM | | AGR TXIN | GOMEZ, TOM |
| 41 | LIMIT FARM LOSS DEDUCTION ALLOWED IN COMPUTING INDIVIDUAL INCOME TAXES | NEUMAN, T. | | TXIN AGR TXAG | GOMEZ, TOM |
| 97 | TAX EXEMPTION FOR PRODUCER-HELD GRAIN | AKLESTAD, G. | | TXAG TXPR AGR | COGLEY, DAVE |
| 194 | UCC FINANCING STATEMENT FOR FARM EQUIPMENT CONTAIN MODEL, SERIAL NUMBERS | LIEN LAWS-JT SUBCOM | | SECT AGR | MCCUE, MARY |
| 195 | (PARITY PRICES FOR FARMERS RESOLUTION) | SCHYE, T. | | AGR | GOMEZ, TOM |
| 235 | (REVISE AG. CHECK-OFF) | HAYNE, H. | | AGR TXAG | GOMEZ, TOM |
| 255 | (WILDLIFE MANAGEMENT ON PRIVATE LAND) | ASAY, T. | | FISH AGR | MERRILL, ANDREA |
| 260 | (MONEY FOR GAME ANIMAL DAMAGE TO AG. PROPERTY) | RAPP-SVRCEK, P. | | APP FISH AGR | MERRILL, ANDREA |
| 261 | (FAMILY FARM PRESERVATION ACT) | RAPP-SVRCEK, P. | | AGR | GOMEZ, TOM |
| 275 | (COMBINE DEPARTMENTS OF AGRICULTURE AND LIVESTOCK) | NEUMAN, T. | | STGO AGR LVTK | COGLEY, DAVE |
| | | | SUBJECT: ALCOHOLIC BEVERAGES | | |
| 26 | (REMOVE ST. RETAIL LIQUOR SYSTEM) | PAVLOVICH, R. | | ALC STGO | MACMASTER, JOHN |
| 56 | REVISE DUI-CHANGE PER SE LEVEL FROM 0.10 TO 0.15; ADD DIVERSION PROGRAM | MANNING, R | | ALC MTRV CR TRAF | MCCLURE, EDDYE |
| 76 | (CLARIFY BEER & LIQUOR MEANS ALL ALCOHOL) | REV OVERSIGHT COM | | ALC | LEAR, JIM |
| 77 | CONFORM ALCOHOLIC BEVERAGE CODE TO 'BS CHANGE IN DEFINITION OF TABLE WINE | REV OVERSIGHT COM | | ALC | LEAR, JIM |
| 117 | (PENALTY FOR PROCURING ALCOHOL WITH FALSE IDENTIFICATION) | PAVLOVICH, R | | ALC MIN | MACMASTER, JOHN |

Sample

# INTERNAL REFERENCE LIST

The Internal Reference List is a computer-generated list of all Montana Code Annotated sections which refer to other MCA sections. This publication is used in bill drafting and provides the drafter with a quick source for finding all references to a certain section of the code in the event that such a section is to be repealed or amended.

This publication is free and available from the Legislative Council.

INTERNAL REFERENCE REPORT

REFERENCES TO SECTION 17-6-306
17-6-302 90-3-525 90-8-102 90-8-305

REFERENCES TO SECTION 17-6-308
17-6-311

REFERENCES TO SECTION 17-7-103
5-12-102

REFERENCES TO SECTION 17-7-111
17-7-112 [3]

REFERENCES TO SECTION 17-7-112
5-13-402 17-7-111 [2]

REFERENCES TO SECTION 17-7-201
20-15-403

REFERENCES TO SECTION 17-7-202
10-2-414 17-5-401

REFERENCES TO SECTION 17-7-401
75-10-621

REFERENCES TO SECTION 17-7-403
17-2-102

REFERENCES TO SECTION 17-7-501
2-9-202 2-18-812 10-4-301 75-5-1108
80-2-103 90-9-306

Sample

# CODE SECTIONS AFFECTED LIST

Any Montana Code section that would be affected by the passage of a particular bill is listed on a printout titled the Code Sections Affected List. Bill drafters and amendments coordinators use this list to avoid conflicts, correct redundancies, and solve problems. The printout is composed of two parts:

1) Bill drafts and introduced bills. All code sections which could be amended or repealed by **any** bill entered on the automated bill drafting system are listed.

2) Enrolled bills. Codes sections affected by bills which have **passed** the legislature and have been sent to the Governor for his signature are listed.

The printout is available for use in the Legislative Council offices and library.

```
                                        ********** 1989 MONTANA LEGISLATURE
                                        *   MCA CODE SECTIONS AFFECTED BY BILL
                                        ************************************

SECTION ======= THRU SECTION =========== ACTION ===== BILL NO /VERS =========

2-15-1019 ------------------------------ REPEALED ---- SB 0003 /01
2-18-103 ------------------------------ AMENDED ---- SB 0003 /01
15-23-607 ------------------------------ AMENDED ----- HB 0007 /01
15-36-101 ------------------------------ AMENDED ----- HB 0003 /01
15-36-101 ------------------------------ AMENDED ----- HB 0004 /01
15-36-101 ------------------------------ AMENDED ----- HB 0007 /01
15-36-101 ------------------------------ AMENDED ----- LC 0004 /01
15-36-101 ------------------------------ AMENDED ----- SB 0001 /en
15-36-101 ------------------------------ AMENDED ----- SB 0004 /01
15-36-112 ------------------------------ AMENDED ----- HB 0003 /01
15-36-112 ------------------------------ AMENDED ----- HB 0004 /01
15-36-112 ------------------------------ AMENDED ----- HB 0005 /01
15-36-112 ------------------------------ AMENDED ----- HB 0007 /01
15-36-112 ------------------------------ AMENDED ----- LC 0004 /01
15-36-112 ------------------------------ AMENDED ----- SB 0001 /en
15-36-121 ------------------------------ AMENDED ----- HB 0003 /01
15-36-121 ------------------------------ AMENDED ----- HB 0004 /01
15-36-121 ------------------------------ AMENDED ----- HB 0005 /01
15-36-121 ------------------------------ AMENDED ----- HB 0007 /01
15-36-121 ------------------------------ AMENDED ----- LC 0004 /01
15-36-121 ------------------------------ AMENDED ----- SB 0001 /en
19-3-1002 ------------------------------ AMENDED ----- SB 0003 /01
19-3-1202 ------------------------------ AMENDED ----- SB 0003 /01
20-9-366 ------------------------------ AMENDED ----- HB 0003 /01
20-9-366 ------------------------------ AMENDED ----- HB 0004 /01
20-9-366 ------------------------------ AMENDED ----- HB 0005 /01
20-9-366 ------------------------------ AMENDED ----- HB 0007 /01
20-9-366 ------------------------------ AMENDED ----- LC 0004 /01
20-9-366 ------------------------------ AMENDED ----- SB 0001 /en
33-1-102 ------------------------------ AMENDED ----- HB 0002 /en
33-2-119 ------------------------------ AMENDED ----- SB 0003 /01
33-16-1005 ------------------------------ AMENDED ----- SB 0003 /01
33-16-1011 ------------------------------ AMENDED ----- SB 0003 /01
39-71-102 ------------------------------ AMENDED ----- SB 0003 /01
39-71-103 ------------------------------ AMENDED ----- SB 0003 /01
39-71-116 ------------------------------ AMENDED ----- HB 0002 /en
39-71-116 ------------------------------ AMENDED ----- SB 0003 /01
39-71-201 ------------------------------ AMENDED ----- SB 0003 /01
39-71-206 ------------------------------ AMENDED ----- SB 0003 /01
39-71-308 ------------------------------ AMENDED ----- SB 0003 /01
39-71-401 ------------------------------ AMENDED ----- SB 0003 /01
39-71-403 ------------------------------ AMENDED ----- SB 0003 /01
39-71-431 ------------------------------ REPEALED ----- SB 0003 /01
```

Sample

# BILLS

Each version of a bill, whether introduced, reported out of committee, passed by the chamber of origin, or approved by both chambers, plus all second-chamber amendments, are available for purchase through the Distribution Center in the capitol basement. Price is set by the Legislative Council, (5-11-212, MCA).

The Legislative Council keeps one copy of each reading version on file in Room 138 of the capitol. Other copies are distributed to the Legislative Information Office, state agencies, public libraries, and County Clerk and Recorder offices.

51st Legislature HB 0079/02

APPROVED BY COMMITTEE
ON HIGHWAYS & TRANSPORTATION

HOUSE BILL NO. 79

INTRODUCED BY DEBRUYCKER, JENKINS

A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE A COMBINATION COUNTY FERRY AND BRIDGE FUND IN COUNTIES THAT OWN OR OPERATE A PUBLIC FERRY; AMENDING SECTIONS 7-14-2502 AND 7-14-2807, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 7-14-2502, MCA, is amended to read:

"7-14-2502. Special bridge tax authorized -- combined ferry and bridge fund. (1) Each board may levy a special tax not to exceed 4 mills on all taxable property in the county for the purpose of constructing, maintaining, and repairing free public bridges, which includes those bridges within the municipalities.

(2) An additional levy for these purposes may be made under the following conditions:

(a) In any county where the total linear feet of bridges or bridge construction is more than 4,000 and the taxable value of property in that county is $20 million or less, the board may, if necessary, levy 1 mill.

Sample

# BILL STATUS INQUIRY SYSTEM

During the regular legislative session, the status of legislation is available through the computerized Bill Status Inquiry System. Information on the system includes bill status data, standing committee hearing schedules (for either a specific committee or for a specific date), primary sponsor bill lists, and a subject list of bill draft requests and introduced bills.

```
                    STATE OF MONTANA-BILL STATUS INQUIRY SYSTEM
                              MAIN SELECTION SCREEN

1- BILL STATUS DATA

2- HOUSE MEMBER BILL SPONSOR LIST
3- SENATE MEMBER BILL SPONSOR LIST

4- COMMITTEE HEARING SCHEDULE FOR A SPECIFIC COMMITTEE
5- HOUSE COMMITTEE HEARING SCHEDULES FOR TODAY, OR FOR SOME FUTURE DATE
6- SENATE COMMITTEE HEARING SCHEDULES FOR TODAY, OR FOR SOME FUTURE DATE

7- INTRODUCED BILLS/BILL DRAFT REQUESTS BY SUBJECT

8- SYSTEM INFORMATION

TO EXIT SYSTEM, TYPE "OFF" IN THE OPTION NUMBER FIELD AND PRESS THE ENTER KEY.

         TYPE IN OPTION NUMBER HERE ==>      AND PRESS THE ENTER KEY.

OPTIONAL: IF OPTION 1 SELECTED, YOU MAY TYPE BILL NUMBER HERE ==> __ ____
OPTIONAL: IF OPTION 7 SELECTED, YOU MAY TYPE IN THE SUBJECT (FULL
          OR PARTIAL WORDING) HERE ==> ____________________________________
```

Sample

Bill Status Data includes the bill number, sponsor, short title, and complete record of actions on the bill or resolution.

```
                    STATE OF MONTANA--BILL STATUS INQUIRY SYSTEM
BILL NO: SB 456                BILL FULL STATUS SCREEN
   MAKE MANDATORY THE USE OF SEAT BELTS IN AUTOMOBILES
SPONSORS: MILLARD, J              JENKINS, C                ET AL.
                                     BY REQUEST:
**DATE********** CURRENT STATUS ************* AYE NAY ***** COMMITTEE *******
 02/05  (S) INTRODUCED

 02/05  (S) REFERRED TO COMMITTEE                        (S) HIGHWAYS & TRANSPORT

 02/08  (S) HEARING                                      (S) HIGHWAYS & TRANSPORT
        ROOM 410                1:00-3:00 P.M.
 02/08  (S) COM RPT-BILL DO PASS

 02/10  (S) PLACED ON 2ND READING

 02/10  (S) 2ND READ PASS                          58  42

 - * MORE ACTIVITIES EXIST FOR THIS BILL ** PAGE FORWARD TO SEE MORE *
 TO DISPLAY THE FULL STATUS OF ANOTHER BILL, TYPE BILL HERE=> __ ____  & ENTER.
   PF7 KEY - PAGE BACKWARD ON SCREEN  (OR TYPE '7' IN BOX & ENTER)
   PF8 KEY - PAGE FORWARD ON SCREEN   (OR TYPE '8' IN BOX & ENTER)      *******
   PF1 KEY - MAIN SELECTION SCREEN    (OR TYPE 'M' IN BOX & ENTER)      *=> _ _*
   PF2 KEY - BILL STATUS SELECTION SCREEN (OR TYPE '2' IN BOX & ENTER)  *******
```

Sample

The Sponsor List is the list of all bills primarily sponsored by each legislator.

```
                    STATE OF MONTANA--BILL STATUS INQUIRY SYSTEM
                    SENATE SPONSOR ALPHABETICAL SELECTION SCREEN

 INSTRUCTIONS:  FIND THE SENATOR WHOSE BILLS YOU WISH TO DISPLAY.  ENTER
      THE SENATOR'S TWO-DIGIT CODE HERE => __  AND PRESS THE ENTER KEY.

 01 AKLESTAD, G      14 GAGE, D          26 KOLSTAD, A       39 REGAN, P
 02 ANDERSON, J      15 GALT, J          27 LANE, L          40 SEVERSON, E
 03 BENGTSON, E      16 GOODOVER, P      28 LYBECK, R        41 SHAW, J
 04 BLAYLOCK, C      17 HAFFEY, J        29 LYNCH, J         42 SMITH, E
 05 BOYLAN, P        18 HAGER, T         30 MANNING, D       43 STEPHENS, S
 06 BROWN, R         19 HALLIGAN, M      31 MANNING, R       44 STIMATZ, L
 07 CHRISTIAENS, C   20 HAMMOND, H       32 MAZUREK, J       45 STORY, P
 08 CONOVER, M       21 HARDING, E       33 MCCALLUM, G      46 THAYER, G
 09 CRIPPEN, B       22 HIMSL, M         35 MOHAR, J         47 TOWE, T
 10 DANIELS, M       23 HIRSCH, L        36 NEUMAN, T        48 TVEIT, L
 11 ECK, D           24 JACOBSON, J      37 NORMAN, B        49 VAN VALKENBERG, F
 12 FARRELL, W       25 KEATING, T       38 PINSONEAULT, D   50 WILLIAMS, B
 13 FULLER, D                                                51 YELLOWTAIL, W

*****************************************************************************
 ENTER KEY - DISPLAY BILL FOR SENATOR WHOSE CODE IS ENTERED ABOVE        *******
   PF1 KEY - MAIN SELECTION SCREEN (OR TYPE "M" IN BOX & ENTER)          *=>   *
                                                                         *******
```

Sample

Each standing committee's hearing schedule is available on the computer system. Hearing date, time, place, and bills scheduled for consideration by the committee are included.

```
                    STATE OF MONTANA--BILL STATUS INQUIRY SYSTEM
              COMMITTEE HEARING SCHEDULE FOR (S) PUBLIC HEALTH, W & S
CHAIRMAN                                          SECRETARY
    ************ NORMAL COMMITTEE HEARING SCHEDULE INFORMATION **********
SITE- ROOM 410                DAYS- M-W-F              TIME- 1:00-3:00 P.M.

* DATE * BILL NO *** SPONSOR ******** ADDITIONAL SCHEDULE INFO/SHORT TITLE **
 02/08    SB  326  RICHARDS,J
   REVISE SENTENCES FOR POSSESSION OF DANGEROUS DRUGS
 02/08    HB   67  ARMSTRONG,R
   INCREASE LEGAL AGE LIMIT FOR ALCOHOLIC CONSUMPTION TO AGE 20
 02/08    SB  290  JENKINS,C
   REPEAL SECTION RELATING TO CRIMINAL PENALTIES FOR ACCIDENTAL AIR POLLUTION



  * LAST PAGE OF LIST ** NO MORE HEARINGS SCHEDULED FOR THIS COMMITTEE *
*****************************************************************************
 PF7 KEY - PAGE BACKWARD ON SCREEN      (OR TYPE '7' IN BOX & ENTER)
 PF8 KEY - PAGE FORWARD ON SCREEN       (OR TYPE '8' IN BOX & ENTER)     *******
 PF1 KEY - MAIN SELECTION SCREEN        (OR TYPE 'M' IN BOX & ENTER)     *=>   *
 PF2 KEY - COMMITTEE SELECTION SCREEN   (OR TYPE '2' IN BOX & ENTER)     *******
```

Sample

Information on all the hearings scheduled in the committees of a particular chamber (House or Senate) on a particular day is also available.

```
                    STATE OF MONTANA--BILL STATUS INQUIRY SYSTEM
DATE: 01/07      DAILY HEARING SCHEDULE (ALPHABETICAL BY COMMITTEE)
** COMMITTEE ***********  BILL NO  **** TENTATIVE SCHEDULE ****************
(S) BUSINESS & INDUSTRY    SB 6      ROOM 410            10:00 A.M.-12 NOON
  REVISION OF CHAPTERS 8 AND 9 OF THE U.C.C.
(S) BUSINESS & INDUSTRY    SB 39     ROOM 410            10:00 A.M.-12 NOON
  SECURED.PARTY/LICENSEE OWNERSHIP IN OTHER ALL-BEVERAGES LICENSE
(S) BUSINESS & INDUSTRY    SB 40     ROOM 410            10:00 A.M.-12 NOON
  RELATING TO THE RESALE OR DESTRUCTION OF SEIZED ALCOHOLIC BEVERAGES
(S) JUDICIARY              SB 30     OLD SUPREME COURT 10:00 A.M.-12 NOON
  WARNING TO DRIVER WHO GETS 15 POINTS TOWARD HABITUAL TRAFFIC OFFENDER STATUS
(S) JUDICIARY              SB 56     OLD SUPREME COURT 10:00 A.M.-12 NOON
  ESTABLISH ASSUMPTION OF THE RISK AS ABSOLUTE DEFENSE IN CIVIL ACTIONS
(S) TAXATION               SB 32     ROOM 413/415        8:00-10:00 A.M.
  EXEMPT PRODUCER-HELD GRAIN IN STORAGE FROM PROPERTY TAXATION
(S) TAXATION               SB 21     ROOM 413/415        8:00-10:00 A.M.
  CREATING A COAL RESEARCH AND DEVELOPMENT ACCOUNT FROM COAL SEVERANCE TAX
   ** MORE HEARINGS FOR THIS DATE ** PAGE FORWARD TO SEE MORE **
*****************************************************************************
TO LIST HEARINGS FOR ANOTHER DATE, TYPE MONTH => __ AND DAY => __ AND ENTER.
*****************************************************************************
PF7 KEY - PAGE BACKWARD ON SCREEN  (OR TYPE '7' IN BOX & ENTER)        *******
PF8 KEY - PAGE FORWARD ON SCREEN   (OR TYPE '8' IN BOX & ENTER)        *=> __ *
PF1 KEY - MAIN SELECTION SCREEN    (OR TYPE 'M' IN BOX & ENTER)        *******
```

Sample

Bill draft requests and introduced bills can be identified through the Subject Selection Screen. All bill draft requests are assigned to specific subject categories. A list of these categories is found online. By accessing these categories, all bills or bill draft requests on a particular topic can be located.

```
                    STATE OF MONTANA--BILL STATUS INQUIRY SYSTEM
                              SUBJECT SELECTION SCREEN

INSTRUCTIONS:  FIRST, SELECT THE DESIRED SUBJECT BY POSITIONING CURSOR ON THE
  LINE TO THE LEFT OF THE SUBJECT AND TYPING 'S'.  (IF THE DESIRED SUBJECT
  IS NOT LISTED BELOW, TYPE IN THE FIRST LETTER(S) OF THE SUBJECT ON THE
  SUBJECT FINDER LINE HERE==> ______________________________________________ AND
  PRESS THE ENTER KEY).  ONCE YOU HAVE SELECTED THE A SUBJECT, YOU MAY DISPLAY
    1) INTRODUCED BILLS FOR THE SUBJECT BY PRESSING THE ENTER KEY, OR
    2) BILL DRAFT REQUESTS FOR THE SUBJECT BY PRESSING THE PF3 KEY.

 _ AGRICULTURE, SEE ALSO LIVESTOCK
 _ ALCOHOLIC BEVERAGES
 _ ANTIQUITIES, SAME AS ARTS AND ANTIQUITIES
 _ APPROPRIATIONS
 _ ARTS AND ANTIQUITIES
 _ BOND ISSUES, PUBLIC

 ***************************************************************************
 ENTER KEY - DISPLAY INTRODUCED BILLS LISTS
   PF3 KEY - DISPLAY DRAFT REQUESTS  (OR TYPE '3' IN BOX & ENTER)
   PF7 KEY - PAGE BACKWARD ON SCREEN (OR TYPE '7' IN BOX & ENTER)        ******
   PF8 KEY - PAGE FORWARD ON SCREEN  (OR TYPE '8' IN BOX & ENTER)        *=> __
   PF1 KEY - MAIN SELECTION SCREEN   (OR TYPE 'M' IN BOX & ENTER)        ******
```

Sample

During the regular legislative session, access to the Bill Status Inquiry System is available to the public through a computer link with the state's computer. Contact the Montana Department of Administration's Information Services Division for subscriptions and equipment requirements.

Paper copies of two reports produced from the Bill Status Inquiry System are available for purchase from the Distribution Center in the capitol. The daily hearing schedules and the daily bill status are available by subscribing to the legislative proceedings or by direct purchase. Price is set according to the number of pages.

# HOUSE AND SENATE AGENDAS

The Secretary of the Senate and the Chief Clerk of the House prepare the daily agendas of bills to be debated in their respective Committee of the Whole. The agendas list the bill number, sponsor, short title, and which report is to be considered (2nd reading, 3rd reading, conference committee amendments, Governor's amendments, etc.)

In addition, second and third reading information can be found online through the Bill Status Inquiry System. Checking the status of a specific bill will reveal whether or not that bill is scheduled for second or third reading.

The agendas are available from the Legislative Information Office, the Secretary of the Senate, or the Chief Clerk of the House. Bill status terminals are located in two areas of the capitol for easy access.

Montana
House of Representatives
** AGENDA **

Chief Clerk

LEGISLATIVE DAY # 37
CONVENES 10:00

2ND READING

KEY: WR=> WITHOUT RECOMMENDATION (COMM. RPT.) O=> OBJECTION FILED ON ADVERSE COMM RPT.
GA=> GOVERNOR'S AMENDMENTS TO BILL, 2ND READ. SA=> SENATE'S AMENDMENTS TO BILL, 2ND READ.

| | | | | |
|---|---|---|---|---|
| | HB | 331 | QUILICI, JOE | SPECIAL LICENSE PLATES FOR ARMED FORCE RESERVISTS |
| | HB | 480 | DONALDSON, GENE | ALLOW REAPPROPRIATION OF UNEXPENDED BALANCE FROM SPECIAL ED APPRORPRIATION |
| O | HB | 619 | SANOS, JACK | REQUIRE PLAINTIFF IN JUSTICE'S COURT TO FILE A MOTION FOR DEFAULT ENTRY |
| | HB | 646 | RAPP-SVRCEK, PAUL S. | TRUTH IN LABELING FOR ORGANIC FOODS |
| | HB | 616 | WILLIAMS, J. MELVIN | HELVETICA BOLD LETTERING ON STATE FLAG |
| | HB | 656 | MCCORMICK, LLOYD J. | WORKERS' COMPENSATION INSURER LIABILITY FOR COSTS AND ATTORNEY FEES |
| SA | HJR | 30 | GLASER, WILLIAM E. | URGES CONGRESS TO APPROVE A REVISED INTERSTATE HIGHWAY COST ESTIMATE |
| | HB | 341 | MILLER, RON | CIVIL LIABILITY OF PERSON WHO STOPS PAYMENT ON CHECK, DRAFT, OR ORDER |
| | HB | 360 | HAMMOND, JOE | INCREASE NOTICE PERIOD FOR EVICTING SPACE RENTER WHO FAILS TO PAY RENT DUE |
| | HB | 362 | BARDANOUVE, FRANCIS | RENEWAL OF FACILITY SITING CERTIFICATE |
| GA | HB | 380 | BRADLEY, DOROTHY | ELIMINATING NONDUPLICATING PROVISION FROM RURAL COOPERATIVE UTILITIES LAW |
| | HB | 414 | IVERSON, DENNIS | PUBLIC SAFETY COMMISSION EMPLOYEES - SALARY, WORKPERIOD, AND OVERTIME |
| | HB | 481 | BRANDEWIE, RAY | MENTIONING SENTENCE TO JURORS; NO CHALLENGE FOR BELIEF ITS TOO SEVERE |
| | HB | 483 | SPAETH, GARY | PROCEDURE TO DISSOLVE COUNTY WATER AND SEWER DISTRICT |
| O | HB | 484 | PECK, RAY | METHOD TO CORRECT PROPERTY DESCRIPTION IN COUNTY WATER AND SEWER DISTRICT |
| | HB | 498 | DARKO, PAULA A. | AUTHORIZING FORMATION OF COUNTY PARK DISTRICTS |

Sample

# VOTES

Votes of the Committee of the Whole are kept by the Secretary of the Senate and the Chief Clerk of the House during the session. Copies of these votes are available for use at the Legislative Information Office and the Council main office. After session, votes are transferred to the Secretary of State's office. Votes are published in the House and Senate Journals and the History and Final Status.

Votes of standing committees are available from the Legislative Information Office or the committee secretaries during the session. After session, committee minutes and votes are transferred to the Montana Historical Society. Copies of the minutes are available from the Legislative Council Library and the State Law Library.

MONTANA STATE SENATE
MONTANA 52ND LEGISLATURE
1991 REGULAR SESSION

SENATE BILL 12345

AMD

YEAS: 2
NAYS: 2
NV : 46
EXC : 0

RCS# 18
11/7/90
3:09 PM

YEAS: 2

HARDING NATHE

NAYS: 2

AKLESTAD TVEIT

NOT VOTING: 46

| | | | |
|---|---|---|---|
| ABRAMS | GAGE | MANNING | STIMATZ |
| ANDERSON | HAGER | MAZUREK | STORY |
| BECK | HALLIGAN | MCLANE | SVRCEK |
| BENGTSON | HAMMOND | MEYER | THAYER |
| BISHOP | HARP | NOBLE | VANVALKENBURG |
| BLAYLOCK | HIMSL | NORMAN | VAUGHN |
| BOYLAN | HOFMAN | PINSONEAULT | WALKER |
| BROWN | JACOBSON | PIPINICH | WEEDING |
| CRIPPEN | JENKINS | RASMUSSEN | WILLIAMS |
| DEVLIN | JERGESON | REGAN | YELLOWTAIL |
| ECK | KEATING | SEVERSON | GALT,PRES |
| FARRELL | LYNCH | | |

EXCUSED: 0

Sample

# SUBJECT INDEX

As bills are introduced into session, a subject index is compiled and printed. This index, updated daily, lists all introduced bills under standard subject headings. Using this tool, bill numbers can be easily located when only the subject of the bill is known.

The Subject Index is available for use in all Council offices. It can also be purchased at the capitol Distribution Center. Price is set according to the number of pages (Joint Rule 8-8).

ADMINISTRATIVE RULES
- Adoption
  - prevention when rule is substantially identical to defeated legislation, SB 292
  - requirements, revision, SB 181
- Air quality emission standards regarding fluoride and particulate emissions, repeal of conflicting rule, HJR 22
- Cigarettes, sale of untaxed -- amendment to reduce paperwork concerning, HJR 4
- Economic impact statements, revision of requirements, SB 181, HB329, HB 586
- Fluoride on forage, repeal of present and adoption of new standard, SJR 17
- Hearings, notice requirements changed, HB 252
- Legislative review, HB 39
- Legislators, notice of hearings required when, HB 252
- Omissions, HB 38
- Register, omissions, HB 38
- Repeal by administrative code committee, constitutional amendment for, HB 496
- Revision and clarification of provisions, HB 74
- Suspension
  - legislature, by poll of -- constitutional amendment for, HB 40
  - temporary, by administrative code committee, SB 273

ADOPTION
- Records, revision of laws generally, SB 245
- Relinquishment and placement of children without agency involvement, SB 267
- Revision of provisions, SB 267
- Uniform Adoption Act, revision, SB 267

ADVERTISING
- Drug paraphernalia, a criminal offense, HB 300
- Handicapped persons, parking permit provisions for, SB 79
- Housing, discrimination laws to conform to federal requirements, SB 57
- Outdoor, See OUTDOOR ADVERTISING
- Pregnancy, adverse effects of alcohol and certain over-the-counter drugs, HJR 6

Sample

# HISTORY AND FINAL STATUS OF BILLS

Following the session, the History and Final Status of Bills and Resolutions is published. This volume combines the bill status data from the Bill Status Inquiry System, along with the Sponsor List, the Subject Index, and an effective date table.

Copies are available to subscribers of the legislative proceedings free of charge. Non-subscribers can purchase copies from the Legislative Council.

```
                    HOUSE FINAL STATUS

HB 116  INTRODUCED BY MCDONOUGH, ET AL.
        AMEND ELDER ABUSE PREVENTION ACT TO INCLUDE
              DEVELOPMENTALLY DISABLED PERSONS
          BY REQUEST OF DEPARTMENT OF FAMILY SERVICES

         1/11  INTRODUCED
         1/11  REFERRED TO HUMAN SERVICES & AGING
         1/18  HEARING
         1/19  COMMITTEE REPORT--BILL PASSED
         1/21  2ND READING PASSED                    91  1
         1/24  3RD READING PASSED                    97  1

               TRANSMITTED TO SENATE
         1/25  REFERRED TO JUDICIARY
         3/06  HEARING
         3/06  COMMITTEE REPORT--BILL CONCURRED
         3/07  2ND READING CONCURRED                 50  0
         3/09  3RD READING CONCURRED                 50  0

               RETURNED TO HOUSE
         3/15  SIGNED BY SPEAKER
         3/16  SIGNED BY PRESIDENT
         3/16  TRANSMITTED TO GOVERNOR
         3/21  SIGNED BY GOVERNOR
               CHAPTER NUMBER 198  EFFECTIVE DATE:  3/21/89

HB 117  INTRODUCED BY BACHINI, ET AL.
        FUND CONSTRUCTION OF MACHINE SHOP AT NORTHERN
              AGRICULTURAL RESEARCH CENTER

         1/11  INTRODUCED
         1/11  REFERRED TO APPROPRIATIONS
         3/14  HEARING
         3/18  TABLED IN COMMITTEE
```

Sample

## HOUSE AND SENATE JOURNALS

The House and Senate Journals provide a record of all actions taken on bills and resolutions introduced into the session. The journals are printed daily during the session and they set forth the text of communications between houses, committee reports, transmittal correspondence to and from the executive, plus votes on motions, amendments, and bills. The journals are not verbatim and do not contain a transcript of debate in the Committee of the Whole. Daily journals can be purchased from the capitol Distribution Center.

After session, the daily journals are published as a set by the Legislative Council. The set includes a two-part index which contains a complete subject index and a list of each bill and resolution with corresponding page numbers to journal entries. Bold face entries indicate those pages where votes appear.

The journals are furnished free of charge to each County Clerk and Recorder, the State Library, and the State Law Library. Subscriptions to the journal are available through the Legislative Council.

### REGULAR SESSION
### TITLE INDEX
### SENATE BILLS

**AS INTRODUCED**

**Boldface figures refer to roll calls**

0001 INTRODUCED BY ANDERSON (BY REQUEST OF THE COAL TAX OVERSIGHT SUBCOMMITTEE): A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR UNIFORM TAXATION OF ALL COAL ROYALTIES; AMENDING SECTION 15-35-102, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE AND AN APPLICABILITY DATE."

**SENATE PAGE NO.** 6, 132, 141, **157**, 163, **177**, 184.

**HOUSE PAGE NO.** 269, 801.

0002 INTRODUCED BY CRIPPEN (BY REQUEST OF THE REVENUE OVERSIGHT COMMITTEE): A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE LAW LIMITING PROPERTY TAXES TO 1986 LEVELS TO ALLOW AN INCREASE IN TAX LIABILITY WHEN THERE IS A DECREASE IN TAXABLE VALUATION FROM THE 1986 TAX YEAR; AMENDING SECTION 15-10-412, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

**SENATE PAGE NO.** 6, 501, 525, 526, **540**, 548, **551**.

**HOUSE PAGE NO.** 845, 898.

Sample

## THIRTIETH LEGISLATIVE DAY

Helena, Montana
February 4, 1989

House Chambers
State Capitol

House convened at 8:30 a.m., Mr. Speaker in the Chair. Invocation by Representative J. Brown. Pledge of Allegiance to the Flag.

Roll call. All members present except Addy, Driscoll, and Marks, excused. Quorum present.

### REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/4/89
Correctly printed: HB 119, HB 196, HB 212, HB 223, HB 247, HB 297, HB 314, HB 331, HB 334, HB 368, HB 387, HB 391, HB 406, HB 409, HB 412, HB 413, HB 416, HB 448, HB 466, HJR 14.

ADVERSE COMMITTEE REPORT
**HB 298** - Representative J. Brown moved the 2/3/89 adverse committee report on HB 298 be adopted. Motion carried as follows:

Ayes: Aafedt, Bardanouve, Blotkamp, Boharski, Bradley, Brooke, D. Brown, J. Brown, Campbell, Clark, Cobb, Cocchiarella, Cody, Compton, Daily, Darko, Davis, DeBruycker, DeMars, Elliott, Ellison, Eudaily, Gervais, Giacometto, Gilbert, Glaser, Good, Gould, Grady, Grinde, Guthrie, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knapp, Koehnke, Lee, McDonough, Mercer, Moore, L. Nelson, R. Nelson, T. Nelson, O'Keefe, Owens, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Rice, Russell, Schye, Simon, Simpkins, Smith, Spring, Stang, Steppler, Stickney, Strizich, Swift, Thoft, Thomas, Wallin, Westlake, Whalen, Zook, Mr. Speaker.
Total 82

Noes: Bachini, Cohen, Connelly, Harper, McCormick, Menahan, Nisbet, O'Connell, Peck, Roth, Spaeth, Swysgood, Wyatt.
Total 13

Excused: Addy, Driscoll, Marks.
Total 3

Absent or not voting: Patterson, Squires.
Total 2

### MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 2/3/89

**HB 14**, introduced by Cobb
**HB 36**, introduced by Schye
**HB 115**, introduced by McDonough
**HB 130**, introduced by Stang

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 2/3/89

**HB 75**, introduced by Mercer
**HB 129**, introduced by Stang

Senate bills passed and transmitted to the House for concurrence: 2/3/89

**SB 127**, introduced by Nathe

Sample

# LEGISLATIVE REVIEW

The first report published following the completion of a regular session is the Legislative Review. This publication provides a summary of all bills which will become law. The Legislative Review is organized by chapter number, with bill number, chief sponsor, and a summary of the provisions of the bill included.

Appropriations bills and resolutions are listed separately.

The index is divided into a subject index, a code sections affected list, a chapter number to code section list, a chapter number to bill number and bill number to chapter list, plus the effective date table, for easy reference. This index is used as a temporary index until the revised MCA index is available.

The Legislative Review is free to all subscribers to the Montana Code Annotated. Non-subscribers are charged a nominal fee.

1989 LEGISLATIVE REVIEW

| Ch. No. | Senate Bill | House Bill | Sponsor | Title |
|---|---|---|---|---|
| 21 | | 22 | Brooke | AN ACT TO REQUIRE THAT THE INTEREST RATE ON DEPOSITED MUNICIPAL MONEY BE NO LESS THAN THE INTEREST RATE ON MONEY FROM PRIVATE SOURCES, AMENDING SECTION 7-6-4602, MCA; AND PROVIDING AN EFFECTIVE DATE. |
| 22 | | 36 | Schye | AN ACT ALLOWING A NONPROFIT ORGANIZATION TO RETAIN UP TO 50 PERCENT OF THE VALUE OF A SPORTS POOL; AND AMENDING SECTIONS 23-5-501 AND 23-5-503, MCA. |
| 23 | | 130 | Stang | AN ACT REVISING ODOMETER READING DISCLOSURE REQUIREMENTS, REVISING THE LENGTH OF TIME A DEALER IS REQUIRED TO PRESERVE ODOMETER RECORDS; AND AMENDING SECTION 61-3-206, MCA |
| 24 | | 19 | Swysgood | AN ACT REMOVING THE REQUIREMENT THAT BANK DIRECTORS BE STOCKHOLDERS, AMENDING SECTIONS 32-1-322 AND 32-1-803, MCA, REPEALING SECTION 32-1-324, MCA, AND PROVIDING AN IMMEDIATE EFFECTIVE DATE. |
| 25 | | 61 | Grady | AN ACT TO INCREASE THE MAXIMUM OBLIGATION AUTHORITY OF STATE HIGHWAY CONSTRUCTION FUNDS TO A COUNTY FOR THE FEDERAL-AID SECONDARY HIGHWAY SYSTEM, AND AMENDING SECTION 60-3-206, MCA. |
| 26 | | 107 | Spaeth | AN ACT TO RAISE JUSTICE'S COURT FILING FEES, AND AMENDING SECTIONS 25-31-112 AND 25-35-608, MCA |
| 27 | | 136 | Demars | AN ACT TO REVISE CERTAIN PROVISIONS RELATING TO COMMERCIAL FERTILIZERS; TO MAKE CERTAIN FEES NONREFUNDABLE; TO PROVIDE A RENEWAL DATE AND LATE FEES FOR LICENSES, TO REQUIRE UNIFORM REGISTRATION OF ALL SPECIALTY FERTILIZERS, AND AMENDING SECTIONS 80-10-201, 80-10-202, AND 80-10-207, MCA |
| 28 | | 195 | Rice | AN ACT TO REQUIRE A COUNTY SUPERINTENDENT OF SCHOOLS, ON APPEAL OF A DISMISSAL OF A TEACHER FOR CAUSE, TO SCHEDULE A HEARING WITHIN 10 DAYS AND TO HOLD THE HEARING WITHIN 30 DAYS, UNLESS THE PERIOD IS EXTENDED BY MUTUAL AGREEMENT BETWEEN THE PARTIES, AND AMENDING SECTION 20-4-207, MCA |
| 29 | | 199 | J Brown | AN ACT AUTHORIZING THE BOARD OF COSMETOLOGISTS TO GRANT TEMPORARY LICENSES TO GRADUATE MANICURISTS FOR A PERIOD NOT TO EXCEED 90 DAYS OR UNTIL THE NEXT MANICURISTS' EXAMINATION IS HELD AND RESULTS ANNOUNCED, AND AMENDING SECTION 37-31-307, MCA |
| 30 | | 260 | Clark | AN ACT TO PROVIDE THAT A PERSON DRIVING A MOTOR VEHICLE OR COMMERCIAL MOTOR VEHICLE IN THIS STATE WHILE HIS LICENSE IS SUSPENDED OR REVOKED IN ANY STATE IS GUILTY OF A MISDEMEANOR, AND AMENDING SECTION 61-5-212, MCA. |

Sample

## SESSION LAWS

The complete text of every bill which has been passed by the legislature and signed by the Governor is published in hard-cover under the title: Laws of Montana (year). The set is popularly referred to as the "Session Laws". The Secretary of State's office assigns each bill a chapter number chronologically, with Chapter 1 being the first bill passed and signed.

The full text of appropriations bills and resolutions passed are also printed. These measures do not receive chapter numbers.

All initiatives, referendums, and constitutional amendments brought before the voters during the interim also appear in the Session Laws.

The following organizations receive a free copy of the Session Laws: 1) the State Library; 2) the Montana Historical Society; 3) the State Law Library; 4) the offices of the County Clerk and Recorder, County Attorney, and the Clerk of District Court; 5) custodial institutions; 6) university and community college libraries; 7) most large public libraries; 8) Supreme Court and District Court judges.

Subscriptions to the Session Laws are available from the Legislative Council.

Ch. 355 MONTANA SESSION LAWS 1989 803

claims it considers necessary. The agency shall retain the original of all documents sent to the department. These documents are subject to postaudit by the legislative auditor.

(2) *An office or entity of the executive, legislative, or judicial branch of state government* may not make any charge against any appropriation unless the balance of the appropriation is available and adequate. If no appropriation is available for the payment of a claim, the department shall audit it and, if it is a valid claim, transmit it to the governor for presentation to the legislature."

Approved March 28, 1989.

### CHAPTER NO. 354

[SB 214]

AN ACT REMOVING THE LAW THAT LIMITS THE MONEY AVAILABLE FOR SUBSIDIZED ADOPTION; REPEALING SECTION 53-4-305, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

*Be it enacted by the Legislature of the State of Montana*

Section 1. **Repealer.** Section 53-4-305, MCA, is repealed.

Section 2. **Extension of authority.** Any existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of [this act].

Section 3. **Effective date.** [This act] is effective on passage and approval.

Approved March 28, 1989.

Sample

# MONTANA CODE ANNOTATED

The Montana Code Annotated is the systematic arrangement of all permanent state statutes (laws) currently in force in Montana. The MCA is published in two parts: the Code itself and the Annotations to the Code. A new edition of the Code is printed every odd-numbered year with new laws added, repealed laws deleted, and amended statutes updated. The Legislative Council legal staff is responsible for the codification process.

An entry in the MCA includes the statute, its legislative history, plus any compiler's comments and cross-references to related code sections.

The second part of the MCA, the Annotations, incorporate background materials relating to the statutes, including pertinent official comments, case notes, references to administrative rules, digest of Attorney General's opinions, citations to law review articles, bar publications, and legal encyclopedias. An explanation of each of these items is found in the preface to Volume I of the Annotations.

The Code and the Annotations can be purchased from the Legislative Council. The MCA is available in hard-copy, on microfiche, and on compact disk. Certain titles are printed separately and can be purchased in pamphlet format.

The Annotations are only available in hard-copy and compact disk. Titles can be purchased in hard-copy pamphlet format or as a complete set.

411 FIRE SERVICES TRAINING SCHOOL 20-31-202

**20-31-102. Fire services training school — creation — supervision by board of regents.** There is a fire services training school. The fire services training school is allocated to the board of regents for purposes of planning and coordination. The budget request for the fire services training school shall be submitted through the board of regents. The general supervision of the school is vested in the board of regents.

History: En. 75-7716 by Sec. 1, Ch. 104, L. 1977; R.C.M. 1947, 75-7716; amd. Sec. 4, Ch. 20, L. 1989.

**Compiler's Comments**

*1989 Amendment* In three places substituted "board of regents" for "board of public education". Amendment effective July 1, 1989.

**20-31-103. Purpose of school.** The purpose of the fire services training school is to:

(1) provide fire service personnel with professional training;

(2) identify new methods of fire prevention and suppression and disseminate information about them;

(3) provide a resource center for use by local fire services;

(4) provide testing and certification for personnel and apparatus; and

(5) coordinate fire services training in the state.

History: En. 75-7717 by Sec. 2, Ch. 104, L. 1977; R.C.M. 1947, 75-7717; amd. Sec. 2, Ch. 6, L. 1987.

Sample

# TITLE 75

## ENVIRONMENTAL PROTECTION

**Title Law Review Articles**

Alternative Dispute Resolution in Environmental Law, Grad, 14 Colum. J. Envtl. L. 157 (1989).

Ecology in Court, and other Disappointments of Environmental Science and Environmental Law, Carpenter, 15 Nat. Resources Lawyer 573 (1982).

**Title Collateral References**

61A Am. Jur. 2d Pollution Control.

Final Status of Natural Resource Legislation in the 51st Montana Legislature, Montana Environmental Quality Council, 1989.

Proceedings, Environmental Regulations and Montana's Economy: A Public Forum, Montana Environmental Quality Council, 1982.

Summary Proceedings, Montana Ground Water Conference, "Planning a Ground Water Strategy", Montana Environmental Quality Council, 1982.

## CHAPTER 1
## ENVIRONMENTAL POLICY AND PROTECTION GENERALLY

**Chapter Administrative Rules**

Title 16, chapter 2, subchapter 6, ARM Montana Environmental Policy Act.

Title 16, chapter 2, subchapter 7, ARM Environmental impact statement — fees.

**Chapter Case Notes**

*Federal Law Applied to Road Building and Logging in National Forest:* The U.S. District Court discussed the applicability of federal law to road building and logging activities in certain portions of Beaverhead National Forest. The case examined long-range management guidance, environmental assessments, environmental impact statements, the effects of a finding of no significant impact, and regeneration of timber sale areas as affected by the 1978 Beaverhead National Forest Land Management Plan, the Roadless Area Review Evaluation (RARE II), the Montana Wilderness Study Act of 1977, the National Environmental Policy Act, the National Forest Management Act of 1976, and the Multiple-Use Sustained-Yield Act of 1960. Big Hole Ranchers Ass'n, Inc. v. U.S. Forest Serv., 686 F. Supp. 256, 45 St. Rep. 908 (D.C. Mont. 1988).

*Preliminary Environmental Review — No Hearing Requirement:* Neither the Montana Environmental Policy Act (MEPA) nor the Montana Administrative Procedure Act (MAPA) requires a hearing in a preliminary environmental review. Titeca v. St., __M__, 634 P2d 1156, 38 St. Rep. 1533 (1981).

*MEPA Mandate Superseded:* In an action for declaratory and injunctive relief against a proposed subdivision development in which plaintiffs alleged that the Environmental Impact Statement (EIS) issued by the Department of Health and Environmental Sciences pursuant to the Montana Environmental Policy Act (MEPA) was defective, the Supreme Court held that the legislative intent of the Sanitation in Subdivisions Act was to place control of the

Sample

# INTERIM DIRECTORY OF LEGISLATIVE COMMITTEES

The Interim Directory of Legislative Committees contains a summary of those joint resolutions which were chosen for legislative study. Membership for each interim committee is given, along with the Legislative Council staff member assigned to the committee.

The directory also includes: a) membership of the statutory committees receiving Legislative Council staff assistance; 2) membership of permanent legislative committees; 3) Montana's legislative representatives on the Council of State Governments and National Conference of State Legislatures committees; and, 4) membership on other committees associated with the legislature.

Copies are free and available from the Legislative Council.

## Committee on Indian Affairs

**Statutory Citation: Chapter 630, Laws of 1989**

The 1989 Legislature authorized a statutory Committee on Indian Affairs to continue the work of six previous interim legislative committees. Armed with its new permanency, the Committee will continue the following duties: encourage participation of Indian people in Committee meetings; act as an available liaison between the Indian people and the Legislature; encourage tribal-state and tribal-local government cooperation; and hold hearings to promote better understanding between the tribes and public agencies.

**Membership:**

Sen. Paul S. Svrcek (D)
Chairman
P.O. Box 1392
Thompson Falls, MT 59873
827-4437 (home)

Sen. Delwyn Gage (R)
P.O. Box 787
Cut Bank, MT 59427
873-2301 (home)
873-4662 (business)

Rep. Floyd (Bob) Gervais (D)
Vice Chairman
P.O. Box 1810
Browning, MT 59417
732-9278

Rep. Clyde B. Smith (R)
148 3-Mile Dr.
Kalispell, MT 59901
752-8043 (home and business)

Sample

# INTERIM STUDY FINAL REPORTS

The Legislative Council prepares and publishes all final reports of the interim committees. The reports contain a copy of the joint resolution requesting the study, committee membership and staff, actions, findings, and recommendations of the committee, plus any proposed legislation to be brought before the legislature.

A bibliography of all research reports is found in the **Introduction to the Montana Legislative Council**. Copies of the current interim's final reports can be ordered from the **Catalog of Interim Study Final Reports**. Copies are free while supplies last.

E. RECOMMENDATIONS -- DEPARTMENT'S ROLE

The ruling and its effects do not promote public policy of nondiscrimination. The ruling's goal--to prohibit discrimination--is not achieved since birth parents can place their infants through direct nonagency placements, avoiding the limitations of the ruling. The best interests of the child are not served because the pool of suitable homes is limited and because unregulated, direct nonagency placements are encouraged. Therefore, it is the recommendation of this study, in accord with earlier recommendations, that adoption policies and laws in this state be changed to make the best interests of the child the paramount concern. It is recommended that the statutory laws be changed to allow age, marital status, and religious information to be considered by state and private adoption agencies in adoption proceedings in a nonarbitrary manner, as just three of many relevant factors to be considered in determining the best interests of the child.

It is the intent of this recommendation to encourage the Department to resume offering adoption services for infants. It is acknowledged that at this time the Department may still be some years off from performing all its family services functions to the desired level. The Department was recently the subject of a comprehensive review. In March 1990, the Governor began a 3-month intensive review of child and family services in Montana. In July, as part of that review, a 78-page document was prepared and presented to the Governor and his Human Services Subcabinet on ways to improve child and family services in Montana and to strengthen the Department. Although the report is very comprehensive, the subject of adoption services provided by the Department is barely mentioned in the report, other than a passing

Sample

## THE INTERIM

The Interim is a newsletter published by the Legislative Council the first Friday of each month during the period between sessions. It gives a summary of activities of the interim study and permanent legislative committees. It is published for legislators, their staff, agencies, and state government department heads.

The publication is available to legislators and to the public from the Council while supplies last. There is a nominal charge for mailed copies.

# THE INTERIM

**The Monthly Report of Legislative Activity**

A Publication of Montana Legislative Council

**SEPTEMBER 1990 HELENA, MONTANA Vol. VII No. 15**

### MONTANA-WESTERN CANADIAN PROVINCES BOUNDARY ADVISORY COMMITTEE

Sept. 12 Meeting in Great Falls...A meeting with a delegation from the province of Alberta is scheduled by the Montana-Western Canadian Provinces Boundary Advisory Committee for Wednesday, Sept. 12, at the Rainbow Hotel in Great Falls. The meeting will be held in conjunction with a trade conference entitled Across the 49th Parallel to the Future. The Boundary Advisory Committee's meeting will begin with a luncheon at noon and will conclude at 5 p.m. Subjects to be discussed include:

¶ Highways, increased weight limits on I-15, joint venture weigh station at Coutts, and customs hours at Sweetgrass.

¶ Commerce, Montana trade representation in Alberta.

¶ Natural Resources, status of water development activity, and AltaMont Pipeline.

Sample